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FM AMEMBASSY MASERU
TO SECSTATE WASHDC IMMEDIATE 0401
INFO SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
USCINCEUR VAHINGEN GE//ECJ-4//ECJ-5//
AMEMBASSY PARIS
SECDEF WASHDC
CIA WASHDC
DIA WASHDC
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USDOC WASHDC
USMISSION USUN
DEPT OF TREASURY WASHDC 0011

UNCLAS SECTION 01 OF 05 MASERU 1721

AIDAC
GABORONE PLEASE PASS TO USAID/RCSA
LONDON AND PARIS FOR AFRICA WATCHERS
DEPT FOR AF/EX, AF/S, EB AND INR
DEPT PLEASE PASS TO NDI
DEPT PLEASE PASS TO USDEL IBRD AND IMF
GABORONE FOR ODC
PRETORIA FOR POL LESOTHO WATCHER AND DAO

E.O. 12958: N/A

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SUBJECT: LESOTHO: ONE YEAR AFTER SADC MILITARY INTERVENTION

SUMMARY: NOT WITH A BANG...

1. LESOTHO IS MUDDLING THROUGH AN ARTIFICIAL AND UNEASY CALM ONE YEAR AFTER A REGIONAL MILITARY INTERVENTION TO REVERSE AN ARMY MUTINY AND FORESTALL AN ATTEMPT TO OVERTHROW THE ELECTED GOVERNMENT. THE FIRST ANNIVERSARY OF THE DRAMATIC EVENTS OF 1998 PASSED WITH LITTLE NOTICE BY MANY HERE AND SEPTEMBER 22 APPEARED A DAY LIKE ANY OTHER. HOWEVER, THE POLITICAL POLARIZATION THAT GENERATED THE AUGUST/SEPTEMBER 1998 POLITICAL/SECURITY CRISIS IS FAR FROM BEING RESOLVED. INSTITUTIONAL MECHANISMS PUT IN PLACE WITH THE HELP OF REGIONAL PLAYERS TO FACILITATE A PROCESS OF RESOLUTION ARE AT AN IMPASSE. PLANS TO HOLD NEW ELECTIONS IN THE FIRST HALF OF 2000 HAVE STALLED. POLITICAL PARTIES ARE STILL AT LOGGERHEADS AND HARBOR MUTUALLY EXCLUSIVE OBJECTIVES THAT ARE NOT AMENABLE TO COMPROMISE. THERE WERE NO COMMEMORATIVE EVENTS BY EITHER THE GOVERNING OR OPPOSITION PARTIES -- EXCEPT FOR THE OPPOSITION COALITION'S UNVEILING A SCULPTURE DEDICATED TO THE "HEROES" OF THE ARMY WHO WERE "MARTYRED" AS THEY DEFENDED THE COUNTRY FROM FOREIGN "INVADERS." AS A MEASURE OF THEIR RENEWED CONFIDENCE, THE PRIME MINISTER, THE DEPUTY PRIME MINISTER AND THE FOREIGN MINISTER WERE TRAVELING OVERSEAS WITH NO WORRIES ABOUT THE MAINTENANCE OF LAW AND ORDER DURING THEIR ABSENCE. END SUMMARY

ANNIVERSARY OF A CRISIS

2. ON SEPTEMBER 22, 1998, AT THE REQUEST OF PRIME MINISTER PAKALITHA MOSISILI AND WITH THE CONCURRENCE OF THE HEADS OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC), MILITARY FORCES FROM SOUTH AFRICA INTERVENED IN THE POLITICAL/ SECURITY CRISIS THAT WAS UNFOLDING IN LESOTHO. THE SOUTH AFRICAN NATIONAL DEFENSE FORCE WAS SOON JOINED BY TROOPS FROM BOTSWANA WHO BATTLED WITH ARMY MUTINEERS AND THEIR OPPOSITION SUPPORTERS IN HEAVY FIREFIGHTS FOR THREE DAYS. UNFORTUNATELY, BY THAT TIME, NEARLY 100 PEOPLE WERE DEAD AND ARSONISTS AND LOOTERS HAD DECIMATED THE COMMERCIAL INFRASTRUCTURE IN LESOTHO'S THREE LARGEST TOWNS, INCLUDING THE CAPITAL, MASERU.

HISTORY, PRECEDENTS AND HARBINGERS...

3. IN 1994\1995 BOTSWANA, SOUTH AFRICA AND ZIMBABWE BECAME GUARANTOR MEMBERS OF THE SADC TROIKA THAT WAS MANDATED TO

OVERSEE THE PEACE PROCESS AFTER ELEMENTS IN LESOTHO'S ARMY FOMENTED A PALACE COUP LED BY KING LETSIE III. THIS GUARANTOR STATUS, UNDER A 1994 MOU, AIMED TO SUPERVISE A RETURN TO THE GENERAL PRINCIPLE IN THE REGION THAT SADC WILL NOT TOLERATE EFFORTS TO UNCONSTITUTIONALLY OVERTHROW DEMOCRATICALLY ELECTED MEMBER STATES. THE PALACE COUP FOLLOWED REJECTION BY OPPOSITION PARTIES OF THEIR TOTAL DEFEAT IN THE 1993 ELECTIONS. OPPOSITIONISTS ALLEGED, BUT DID NOT PROVE, ELECTORAL FRAUD AND VOTE RIGGING. THEY USED THIS ALLEGATION TO PRECIPITATE AN ATTEMPT TO OVERTHROW OF THE ELECTED GOVERNMENT.

¶4. AS IN 1994, THE 1998 CIVIL STRIFE FOLLOWED THE ELECTORAL DEFEAT BY THE SAME COALITION OF OPPOSITION PARTIES WHO AGAIN ALLEGED THEY WERE VICTIMS OF ELECTORAL FRAUD. AN UNAUTHORIZED SEVEN-MONTH- LONG DEMONSTRATION AND PALACE VIGIL BY OPPOSITION SUPPORTERS BEGAN IN AUGUST 1998. OPPOSITION SUPPORTERS CALLED ON THE KING TO OVERTURN THE ELECTION RESULTS URGED HIM TO INSTALL A GOVERNMENT OF NATIONAL UNITY. EFFORTS BY SOUTH AFRICA'S THEN VICE PRESIDENT, THABO MBEKI, TO MEDIATE A PEACEFUL RESOLUTION OF THIS ESCALATING CRISIS PROVED FUTILE.

¶5. THE PALACE VIGIL SOON LED TO AN ARMY MUTINY, THE FORCED SHUT DOWN OF THE CAPITAL AND OF PUBLIC OFFICES, ALONG WITH HIJACKING OF GOVERNMENT VEHICLES BY OPPOSITION ACTIVISTS. CABINET MEMBERS WENT UNDERGROUND IN FEAR OF THEIR LIVES, AS IN 1994, WHEN THE DEPUTY PRIME MINISTER WAS ASSASSINATED BY COUP PLOTTERS. IN THIS POLARIZED INTERNECINE ATMOSPHERE, THE SADC MILITARY INTERVENTION SPARKED AN ORGY OF LOOTING, DESTRUCTION OF PROPERTY, BURNING AND LOSS OF LIFE. THE PRIVATE RESIDENCES OF THE PRIME MINISTER, SEVERAL MEMBERS OF THE CABINET, AND A NUMBER OF HIGH LEVEL OFFICIALS WERE DESTROYED BY FIRE AND THEIR ANIMALS WERE SLAUGHTERED. A WELL-ORCHESTRATED ASSAULT ON SOUTH AFRICAN BUSINESS INTERESTS TOOK PLACE, WITH CHINESE AND INDIAN BUSINESSES CAUGHT UP IN THE FLASHOVER. SOUTH AFRICAN NATIONALS WERE RANDOMLY ATTACKED, VEHICLES BEARING SOUTH AFRICAN REGISTRATION NUMBERS WERE VANDALIZED. EXPATRIATE RESIDENTS OF LESOTHO, INCLUDING NON- OFFICIAL AMERICANS, EVACUATED THE COUNTRY IN LARGE NUMBERS. IT TOOK THE SOUTH AFRICAN ARMY THREE DAYS OF BLOODY FIGHTING TO SUPPRESS THE LDF RESISTANCE AND THEIR OPPOSITION ALLIES WHOM THEY ARMED FROM MILITARY WEAPONS INVENTORIES.

INAUSPICIOUS REMEMBRANCES

6. THE PAST YEAR HAS BEEN ONE OF MANY REVERSALS FOR LESOTHO. AFTER EXPERIENCING SOME OF THE HIGHEST ECONOMIC GROWTH RATES IN AFRICA IN THE MIDDLE OF THE DECADE, IN ONE YEAR LESOTHO'S GROWTH RATE WENT FROM SEVEN PERCENT TO MINUS EIGHT PERCENT. THOUSANDS OF JOBS WERE LOST IN THE DESTRUCTION OF COMMERCIAL AND PUBLIC ENTERPRISES. THESE NEW CASES OF UNEMPLOYMENT EXACERBATE AN ALREADY HIGH RATE OF JOBLESSNESS AND THE ASSOCIATE STRESS ON HOUSEHOLDS TEETERING ON THE BRINK OF POVERTY. SMALL ARMS TRAFFICKING IS ON THE INCREASE, HOUSEBREAKING AND STREET CRIME IS RAMPANT, OPPOSITION PARTIES ARE IN DISARRAY, THE ECONOMY IS WEAKER THAN IT WAS A YEAR AGO AND THE ELECTORATE IS DESPONDENT.

¶7. ONE YEAR LATER, THE ROOTS OF LESOTHO'S CRISIS REMAINS UNRESOLVED AND THE FUTURE PEACE OF THE COUNTRY IS FAR FROM GUARANTEED. A RELATIVE AND ARTIFICIAL CALM HAS BEEN RETURNED UNDER THE SADC SECURITY UMBRELLA, BUT THIS CALM IS ONLY ON THE SURFACE. THE PEACE ENFORCEMENT PHASE OF SADC'S OPERATION BOLEAS ENDED IN APRIL 1999, AND WAS REPLACED BY A SMALLER CONTINGENT OF SADC TROOPS WHO ARE TRAINING THE LDF IN CIVIL/MILITARY AFFAIRS WHILE REINFORCING CIVIC CALM. THOUGH MOST BASOTHO ACT AS IF IT IS BUSINESS AS USUAL, THE UNDERLYING POLITICAL TENSIONS CONTINUE AND A LASTING SOLUTION IS STILL ELUSIVE.

¶8. FOLLOWING LAST YEAR'S MILITARY INTERVENTION, AN INTERIM POLITICAL AUTHORITY (IPA) WAS FORMED (NOVEMBER 1998) TO PREPARE THE GROUND FOR NEW ELECTIONS SCHEDULED

AFTER EIGHTEEN MONTHS (MAY 2000). DESPITE LACK OF PROOF OF ELECTORAL FRAUD, THE GOVERNING PARTY WAS CONVINCED TO ACCEPT NEW ELECTIONS AS A MEANS FOR SETTling THE MATTER. SINCE THEN, THE GOL HAS EMBARKED ON A COMPREHENSIVE REFORM PROGRAM FOR CIVIL SERVANTS, THE LDF AND OTHER SECURITY ORGANIZATIONS. THEIR GOAL IS TO MINIMIZE THE NEGATIVE EFFECT OF PARTISAN LOYALTIES IN THE PUBLIC AND SECURITY SERVICES WHILE PROMOTING A NON-PARTISAN MERITOCRACY FOR PUBLIC SERVANTS. THOSE SOLDIERS WHO WERE INVOLVED IN THE LDF MUTINY ARE FOR THE FIRST TIME BEING TRIED VIA COURTS-MARTIAL FOR THEIR PART IN THE ATTEMPTED COUP AND OTHER INFRACTIONS AGAINST THE DEFENSE ACT (1996).

MUTINY WITHIN THE ARMY

¶9. OPPOSITION POLITICAL PARTIES OPPOSED THE RESULTS OF THE 1998 GENERAL ELECTIONS -- AS HAS EVERY LOSING PARTY SINCE INDEPENDENCE IN 1966. THEY CALLED FOR THE KING TO DISSOLVE THE GOVERNMENT ALTHOUGH THEY KNEW THAT THE KING DOES NOT HAVE CONSTITUTIONAL AUTHORITY TO DO SO. WIDESPREAD DISTURBANCES, PARTICULARLY IN THE CAPITAL, LED TO A SOUTH AFRICAN EFFORT TO MEDIATE IN THE PROBLEM. A SOUTH AFRICAN-SPONSORED COMMISSION OF INQUIRY -- THE LANGA COMMISSION -- WAS CONVOKED TO LOOK INTO OPPOSITION ALLEGATIONS OF ELECTION FRAUD. THE COMMISSION'S FINDINGS, WERE LESS THAN UNAMBIGUOUS. THE LANGA COMMISSION DID NOT FIND ANY PROOF OF ELECTORAL FRAUD, BUT SAID THEY COULD NOT PROVE THAT NO FRAUD AFFECTED ELECTORAL OUTCOMES. CHOOSING TO INTERPRET THE AMBIGUITY OF THE LANGA REPORT AS A VICTORY, THE OPPOSITION PARTIES STRENGTHENED THEIR PROTESTS AND MADE THE COUNTRY UNGOVERNABLE. CABINET MINISTERS ABANDONED THEIR POSTS, WENT INTO HIDING AND THE CAPITAL WAS LITERALLY SHUT DOWN. A HANDFUL OF LDF JUNIOR OFFICERS TOOK PART IN WHAT LATER LED TO A MUTINY. ARMY OFFICERS ABOVE THE RANK OF CAPTAIN WERE ARRESTED AND HELD IN THE MAXIMUM SECURITY PRISON. THE COMMANDER OF THE ARMY WAS FORCED TO READ AT GUNPOINT A STATEMENT OVER STATE RADIO CLAIMING HE FIRED 28 OF HIS OFFICER COLLEAGUES AND SUBSEQUENTLY ANNOUNCED HIS OWN RESIGNATION. IN THE FOLLOWING DAYS, WITH THE ARMY IN MUTINY AND POLICE DISARMED, THE ONLY ORGANIZED ARMED FORCES IN THE COUNTRY WERE MUTINEERS AND OPPOSITION PROVOCATEURS. THIS SITUATION BECAME UNTENABLE, AND MOTIVATED THE PM'S REQUEST TO SADC FOR MILITARY INTERVENTION TO REVERSE THE MUTINY AND RETURN THE COUNTRY TO LAW AND ORDER.

¶10. THE GOVERNMENT HAS EMBARKED ON A PROGRAM OF REFORM FOR THE LDF, THE POLICE AND THE NATIONAL SECURITY SERVICE (NSS). THE SADC INTERVENTION FORCES, KNOWN AS OPERATION BOLEAS, HAVE SINCE BEEN REPLACED BY OPERATION MALUTI WHICH IS AIMED AT RETRAINING AND REORIENTING THE LDF. THE SADC/LDF TRAINING IS REPORTED TO BE GOING WELL AND IT IS ENVISAGED THAT IT WILL BE COMPLETED BY THE END OF THE YEAR. AN INITIAL PLAN TO DISBAND THE NSS -- AFTER IT FAILED TO INFORM THE GOVERNMENT OF THE OPPOSITION POLITICAL PARTIES' PLAN TO STAGE A COUP -- WAS ABANDONED. THIS DECISION FOLLOWED AN OUTCRY FROM MANY QUARTERS OF THE SOCIETY WORRIED THAT THE LCD MIGHT BE ENGAGED IN AN EFFORT TO TRANSFORM STATE EMPLOYEES INTO LCD PARTISANS.

THE INTERIM POLITICAL AUTHORITY (IPA)

¶11. THE IPA WAS ESTABLISHED IN NOVEMBER 1998, TO PREPARE FOR EARLY ELECTIONS, AND WAS THOUGHT BY MANY TO BE THE BASIS FOR A SOLUTION TO THE POLITICAL PROBLEMS IN LESOTHO. THE IPA IS MADE UP OF TWO MEMBERS FROM EACH OF THE TWELVE POLITICAL PARTIES THAT TOOK PART IN THE 1998 ELECTION. THERE ARE 24 IPA MEMBERS, WHICH GIVES UNUSUAL VOTING STRENGTH TO THE OPPOSITION COALITION WHILE ALMOST ENSURING THE RULING PARTY'S INITIATIVES NEVER CARRY THE CONSENSUS. THE IPA IS SUPPOSED TO SET THE STAGE FOR NEW ELECTIONS BY MAY 2000. THEY ARE TO AGREE AND MAKE RECOMMENDATIONS ON THE STRUCTURE OF THE NEXT ELECTION, ADDRESS CONCERNS ABOUT THE AUTONOMY AND EFFECTIVENESS OF

THE INDEPENDENT ELECTORAL COMMISSION (IEC), AMONG OTHER MATTERS. THE IPA'S TENURE STATUTORILY ENDS AS SOON AS THE RESULTS OF 2000 ELECTIONS ARE ANNOUNCED.

¶12. SOUTH AFRICAN MEDIATORS RECOMMENDED THE IPA AS A COMPROMISE METHOD TO ACCOMMODATE MUTUALLY EXCLUSIVE GOALS. THE OPPOSITION POLITICAL PARTIES WANTED A GOVERNMENT OF NATIONAL UNITY (SOMEHOW WITHOUT THE PARTICIPATION OF THE RULING PARTY) BUT THE GOL OPPOSED THAT AFTER IT WON SUCH A RESOUNDING ELECTORAL VICTORY WITH SEVENTY NINE OF EIGHTY SEATS IN PARLIAMENT. (COMMENT: THE OPPOSITION POLITICAL PARTIES CHOSE TO PORTRAY THE IPA AS A KIND OF POWER SHARING ARRANGEMENT OR PARALLEL/INTERIM GOVERNMENT. HOWEVER, THE GOL, AS THE LEGITIMATELY ELECTED GOVERNMENT, REFUSES TO CEDE ANY OF ITS AUTHORITY TO THE OPPOSITION ALLIANCE, BUT DOES PARTICIPATE IN THE IPA. THERE IS NO DOUBT THAT SADC VIEWS THE RULING PARTY AS THE LEGITIMATE GOVERNMENT -- AS DOES THIS EMBASSY AND OTHER RESIDENT DIPLOMATIC MISSIONS. NOR HAS COMPELLING EVIDENCE OF ELECTORAL FRAUD BEEN PRESENTED TO UNDERMINE THE LEGITIMACY OF THE MOSILILI ADMINISTRATION. END COMMENT)

PROGRESS, OR LACK THEREOF...

¶13. SINCE ITS INCEPTION, THE IPA HAS COVERED LITTLE GROUND AND MADE MINISCULE PROGRESS IN PREPARING FOR NEW ELECTIONS NEXT YEAR. INTERMINABLE SQUABBLES BETWEEN THE RULING LESOTHO CONGRESS FOR DEMOCRACY (LCD) MEMBERS AND REPRESENTATIVES OF THE MAREMATLOU FREEDOM PARTY (MFP), THE BASOTHO LAND CONGRESS PARTY (BCP) AND THE BASOTHO NATIONAL PARTY (BNP) HAVE WASTED INVALUABLE TIME. POLITICIANS USED THE IPA AS A PLATFORM TO DENOUNCE ONE ANOTHER AND HOLD FORTH ON THE APPROPRIATENESS OF INVITING THE SADC FORCES TO INTERVENE IN THE POLITICAL AND MILITARY PROBLEMS OF LESOTHO. LITTLE WORK WAS ACCOMPLISHED ON ELECTIONS PREPARATION, THE IPA'S MAIN DUTY. ATTEMPTS BY OPPOSITION LEADERS TO DERAIL OR DISCREDIT COURT-MARTIAL HEARINGS FOR MILITARY PERSONNEL WHO TOOK PART IN THE MUTINY ALSO OCCUPIED TOO MUCH OF THE IPA'S WORKING TIME. (COMMENT: FROM 1970 TO 1993, UNCONSTITUTIONAL AUTHORITARIAN REGIMES RULED LESOTHO, AND EMPLOYMENT IN THE PUBLIC SERVICES WAS DEPENDENT ON POLITICAL AFFILIATION WITH THE BNP. AS A RESULT OF THE 1993 ELECTION, THE THEN-BCP INHERITED A CIVIL SERVICE, AN ARMY, A POLICE FORCE, AND AN INTELLIGENCE SERVICE THAT WAS PROFOUNDLY POLARIZED IN PARTISAN OPPOSITION AGAINST THEM. SOME OBSERVERS BELIEVED THAT OPPOSITION LEADERS WERE OPPOSED TO THE COURT-MARTIAL HEARINGS BECAUSE OF THE POSSIBILITY THAT THEY AND THEIR SUPPORTERS COULD BE IMPLICATED IN SUBORNING MUTINY AS A PRELUDE TO AN ATTEMPT TO OVERTHROW THE GOVERNMENT. END COMMENT)

¶14. DESPITE ITS LIMITED ACCOMPLISHMENTS, THE IPA MAY BE ON THE VERGE OF AGREEING TO ADD FIFTY SEATS TO THE CURRENT EIGHTY-MEMBER NATIONAL ASSEMBLY - FOR A TOTAL OF 130 SEATS, WITH A PORTION OF THOSE SEATS CONTESTED ON A FIRST-PAST-THE-POST SYSTEM AND THE REMAINDER BY PROPORTIONAL REPRESENTATION. THIS OSTENSIBLE EFFORT AT REPRESENTATIONAL INCLUSIVENESS APPARENTLY SERVES THE INTERESTS OF OPPOSITION PARTIES MORE THAN IT DOES THE RULING PARTY. HOWEVER, IF VOTING PATTERNS REMAIN CONSISTENT WITH THE 1993 AND 1998 ELECTIONS, A NEW POLL MAY YET RATIFY THE VOTERS' PREFERENCE FOR THE LCD OVER ALL OTHER PARTIES. AFTER MUCH WRANGLING AND GOL ACQUIESCENCE, THE IPA HAS ALSO AGREED TO REPLACE THE CURRENT COMMISSIONERS OF THE INDEPENDENT ELECTORAL COMMISSION (IEC). AFTER FAILING TO SADDLE THE LCD WITH ACCUSATIONS OF ELECTORAL FRAUD, OPPOSITION POLITICAL PARTIES TURNED TO BLAME THEIR ELECTION DEFEAT ON THE CHAIRMAN OF THE IEC, CLAIMING THAT HE WAS BRIBED. (COMMENT: THIS WAS THE FIRST IEC IN THE ELECTION HISTORY OF LESOTHO AND THE THREE COMMISSIONERS HAD NEVER HAD ANY EXPERIENCE IN CONDUCTING ELECTIONS. THE THREE COMMISSIONERS WERE THE NOMINEES OF OPPOSITION PARTIES AND INITIALLY WERE DISTRUSTED BY THE LCD. DESPITE THIS HANDICAP, AND LIMITED TIME TO ACHIEVE THEIR MANDATE, THE

IEC WAS COMMENDED BY INTERNATIONAL AS WELL AS REGIONAL ELECTION OBSERVER GROUPS FOR THEIR JOB OF CONDUCTING THE 1998 ELECTIONS. NEVERTHELESS, OPPOSITION MEMBERS OF THE IPA SAY THEY HAVE LOST CONFIDENCE IN THE IEC, SO THEIR SIX YEAR TERMS SHOULD BE TRUNCATED AND THEY SHOULD BE REPLACED. IN CONTRAST, ELECTION OBSERVERS CONCLUDED THAT THE 1998 POLL MET INTERNATIONAL STANDARDS FOR A DEMOCRATIC ELECTION THAT REFLECTED THE WILL OF THE ELECTORATE. END COMMENT)

¶15. THE CURRENT IMPASSE WITHIN THE IPA IS CENTERED ON THE PROPOSED MODEL FOR THE NEXT ELECTION. THE RULING PARTY PREFERS TO RETAIN THE TRADITIONAL ELECTORAL SYSTEM OF FIRST PAST THE POST (FPTP) WHILE THE OPPOSITION PARTIES SEE THEIR ADVANTAGE IN A MIXED SYSTEM OF PROPORTIONAL REPRESENTATION (PR) AND A CONSTITUENCY BASED SYSTEM. (COMMENT: THERE IS A CYNICAL VIEW AMONG SOME BASOTHO THAT IT IS NOT IN THE INTEREST OF ANY IPA MEMBERS TO SEE ELECTION PREPARATION SUCCEED BECAUSE THE IPA HAS BECOME A MEANS OF LIVELIHOOD FOR OPPOSITIONISTS, AND THE LCD IS ABLE TO MAINTAIN ITS GOVERNING AUTHORITY WITHOUT INTERRUPTION OF ITS FIVE YEAR TENURE. END COMMENT). PETERSON##

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